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2008-112

**Via Registered Mail - Return Receipt Requested**

July 18, 2008

David J. O'Reilly, CEO and President  
Chevron Corporation  
6001 Bollinger Canyon Road  
San Ramon, CA 94583-2324

Gary P. Luquette, President  
Chevron U.S.A., Inc.  
6001 Bollinger Canyon Road  
San Ramon, CA 94583

**Re: Notice of Violations and Intent to File Suit Under the Clean Water Act**

Dear Mr. O' Reilly and Mr. Luquette:

## 1. Notice Under the Clean Water Act

Clean Water Act § 505(b), 33 U.S.C. § 1365(b), requires that sixty (60) days prior to the initiation of a civil action under Clean Water Act § 505(a), 33 U.S.C. § 1365(a), a citizen must give notice of intent to sue to the alleged violator, the Environmental Protection Agency, and the State in which the violations occur.

On behalf of Northern California River Watch ("River Watch"), I am providing statutory notification to the Chevron Corporation and Chevron U.S.A., Inc. (hereafter "Chevron"), of River Watch's intention to initiate a civil action in federal court under the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq., in conjunction with Chevron's continuing operations at several of its Northern California current and former underground storage tank ("UST") sites as further identified in this Notice.

The Clean Water Act ("CWA") regulates the discharge of pollutants into waters of the United States. The statute is structured in such a way that all discharges of pollutants are prohibited with the exception of certain enumerated discharges such as those for which a National Pollutant Discharge Elimination System ("NPDES") permit has been issued. Citizen suits for violations of provisions of the CWA are authorized under 33 U.S.C. § 1365, following a notice that conforms to the requirements of subpart (b) of that section.

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River Watch hereby places Chevron on notice that following the expiration of sixty (60) days from the date of this Notice, River Watch intends to bring suit in federal District Court against Chevron for Chevron's continuing violations of an "effluent standard or limitation", "permit, condition or requirement and/or an order issued by the Administrator or a State with respect to such standard or limitation", under CWA § 505(a)(1), 33 U.S.C. 1365(a)(1), and/or the Code of Federal Regulations, and/or the Basin Plan as adopted by the Regional Water Quality Control Board, by allowing petroleum hydrocarbons above State of California Maximum Contaminant Levels to be released and discharged into waters of the United States, specifically into Crow Creek (see site #1 below), into Boles Creek (see site #4 below), into Rohner Creek and/or the Eel River (see site #6 below), and other such surface waters as further investigation may disclose, without the benefit of any NPDES or other permit authorizing such discharges.

This Notice also addresses Chevron's failure to comply with the terms and conditions of California's General Industrial Storm Water Permit for Industrial Storm Water Discharges (WDID 228S003380), its illegal discharges of contaminated storm water from the service station sites identified in this Notice, its discharges of non-storm water pollutants from those sites in violation of effluent limitations, and its apparent violations of the procedural requirements of NPDES General Permit No. CAS000001 [State Water Resources Control Board] Water Quality Order No. 97-03-DWQ and Water Quality Order No. 91-13-DWQ (as amended by Water Quality Order 92-12-DWQ) issued pursuant to CWA § 402(p), 33 U.S.C. § 1342(p) ("General Permit").

The activities and unauthorized discharges leading to these CWA violations are more fully described below with regard to each of the identified sites. Chevron is responsible for the CWA violations based upon its own conduct at each of the sites, and/or because Chevron has assumed legal responsibility to remediate one or more of the identified sites in situations where previous site owners or operators may have contributed to unauthorized discharges.

The dates of the violations correspond with the dates of each initial unauthorized release at each of the sites identified, although following each release the downgradient surface waters would not have been immediately impacted, but would have been contaminated at later dates consistent with the rate of offsite plume migration from each site through conduits or other preferential pathways or via surface migration of petroleum contamination during heavy rain events.

The violations set forth herein are alleged to be continuing in nature in that the sources of pollution impacting surface waters have not been eliminated to date. Pursuant to CWA § 309(d), 33 U.S.C. § 1319(d), each of the violations described herein subjects the violator to a penalty of up to \$27,500 per day per violation for each of the violations occurring within the five (5) year period prior to the initiation of a citizen enforcement action. In addition to civil penalties paid to the U.S. Treasury, River Watch will seek injunctive relief in the interest of preventing further violations of the CWA pursuant to CWA § 505(a) and § 505(d), 33 U.S.C. § 1365(a) and § 1365(d), and such other relief as is permitted by law. CWA § 505(d), 33 U.S.C. § 1365(d) also permits prevailing parties to recover costs and reasonable attorney fees.

## **II. Identification of Chevron Sites**

### **1. Former Chevron Service Station #9-5607 5269 Crow Canyon Road, Castro Valley, California**

This former Chevron service station site is located at the intersection of Crow Canyon Road and Waterford Place in an area of residential properties. The real property on which the service station is situated is currently owned by Kevin and Julie Hinkley.

This site functioned as a gasoline service station between approximately 1963 and 1990. In 1985 a discrepancy in inventory was detected leading to the discovery of a leak in the station's product storage and delivery system. A review of inventory records later established that approximately 670 gallons of gasoline had been released from the leaking system in the previous 5 months. After the unauthorized release was reported, 18 monitoring wells were eventually installed, 15 of which continue to be monitored. In October of 1990, the USTs were removed after the station was closed. The site is now occupied by an auto repair facility which has one 550 gallon UST for used oil.

A Corrective Action Plan was not submitted until May of 2000. At that time pure product (NAPL) had to be bailed out of one or more of the monitoring wells on a bi-weekly basis. NAPL levels since 2002 have been recorded at between 0.03 and 0.47 feet in thickness at monitoring well C-3. The contaminant plume was determined to be approximately 200 feet in length in a downgradient direction towards Crow Creek. Due to the proximity of Crow Creek to the site (45 feet east of monitoring well C-15 which is within the extent of the plume), there is serious concern that contaminated groundwater from the site has impacted the Creek, although the Creek itself apparently has not been tested for contamination.

In late 2002 a former engineering consultant recommended a two-phase extraction process to remediate the site. More recent evaluations have determined that a dual-phase system may have been planned for implementation (if found feasible) sometime in late 2007, 22 years after the initial release was discovered.

Records available for this site do not reflect whether engineering consultants have determined if sensitive receptors in the immediate area of the plume have been affected by the extent of pollution in adjacent soil and groundwater. In addition, there are no apparent preferential pathways studies, and no data indicating an aquifer impact assessment has been conducted. At the present time (based upon 3rd quarter monitoring), TPHg levels are as high as 56,000 ug/l, benzene is as high as 12,000 ug/l, and toluene is as high as 660 ug/l. Crow Creek has apparently not been tested for petroleum hydrocarbons. In August of 2005, the Alameda County Health Care Services oversight specialist for this site indicated, the "... plume... has migrated beneath the adjacent townhomes and likely impacted the downgradient creek." Other than initial over-excavation associated with the removal of the USTs in 1990, no remediation has been initiated since approximately 1987.

Accordingly, this is a situation for which River Watch must rely upon federal statutory provisions which authorize citizen suits when regulatory agency processes have not resulted in viable and timely solutions to the petroleum contaminant problems in Northern California communities.

**2. Former Chevron Station #9-3203  
2026 North Texas Street, Fairfield, California**

This site is located on North Texas Street, south of Pacific Avenue, in a mixed area of residential and commercial properties. The site operated as a Chevron service station between 1971 and 1995 at which time Chevron's lease expired. In August of 1995 the product storage and dispensing facilities were removed from the site. At the present time the site continues as a gasoline station occupied by an active American Energy service station. The real property on which the service station is situated is owned by Andree A. Benson.

A Shell service station currently exists at 1990 North Texas Street, some 300 feet to the south of the site. The two sites have combined plumes which are monitored jointly by Gettler-Ryan and Blaine Tech Services. Separate phase hydrocarbons (LNAPL) have been recorded at MW-3 from 1993 to 2005, but apparently none since that time.

The first reported release occurred in approximately 1983 followed by the installation of monitoring wells during that year. However, subsurface soil investigation was not conducted until 1993. Other than initial over-excavation work, very little remediation has occurred over the past 24 years. Consultant's reports indicate the site is defined laterally, and that vertical delineation has been completed below 15 ft. bgs; however, there is no indication that an aquifer impact assessment has been accomplished.

In 1999 Chevron's engineering consultant Cambria completed a sensitive receptor survey, relying upon Department of Water Resources records to determine whether there were any threatened receptors within 2,000 feet of the site. The survey found no surface waters, domestic wells, hospitals, or schools. In March of 2001 a conduit study revealed that the North Aquaduct which runs down North Texas Street adjacent to sewer and water lines could act as a migratory pathway for hydrocarbons. The potential for plume migration along this Aquaduct was not deemed particularly great, and field testing was apparently not done.

Cambria has admitted in its RAP that monitored natural attenuation cannot remediate this site within a reasonable period of time. Relying upon a cost analysis, Cambria has determined that over-excavation would be too disruptive of ongoing business activity at and adjacent to the site. Thus, even though over-excavation would probably be the most effective means to eliminate the source of soil and groundwater pollution and the threat to the surrounding environment, Cambria recommends two-phase extraction as the most cost effective strategy for site cleanup.

At the present time (based upon October 2007 monitoring), the site has extremely high levels of petroleum hydrocarbons – as high as 120,000 ug/l at one of the wells, and 63,000 ug/l at another. Benzene has recently been found to be as high as 15,000 ug/l, and toluene as high as 10,000 ug/l. River Watch therefore remains concerned that the high levels of contaminants demand much more proactive remediation work than Cambria has recommended, and believes it is essential to actually test any likely preferential pathways (such as the Aquaduct) for the presence of contamination. In addition, River Watch would prefer that excavation of affected soil at the site be accomplished in order to eliminate the ongoing threat to groundwater. River watch also recommends that data be developed which attempts to determine the residual mass of contaminant within the plume so that

some ongoing objective measure of remediation progress might be provided along with estimates of an eventual closure date.

River Watch believes Chevron must work much more proactively to neutralize the soil and groundwater beneath and around the site by employing best available technology as required by the Basin Plan adopted by the Regional Water Quality Control Board. Given the relatively shallow depth of the plume, the best available technology seems to be further excavation.

**3. Former Chevron Service Station #9-2759  
801 El Camino Real, San Bruno, California**

This site is one of three former service stations located at the intersection of El Camino Real and San Bruno Avenue which have been the location of gasoline sales for over 50 years. A Shell branded station was situated at 798 El Camino Real; an ExxonMobil (now Valero) station existed at 800 El Camino Real; and, Chevron had operated at 801 El Camino Real. The real property on which the Chevron station is situated is currently owned by Peter Chang and the G.W. Williams Company.

The first reported release was in 1987. In the following year the USTs were removed along with an undisclosed amount of impacted soil. Groundwater extraction and treatment commenced between 1991 and 1996, but the process removed only approximately 340 pounds of petroleum hydrocarbons with the filtering of over 2,000,000 gallons of groundwater. Quarterly groundwater monitoring occurred between 1989 and 2001 followed by semiannual monitoring from 2002 to the present. Finally in 2007, pilot testing occurred to determine the feasibility of specific remediation processes.

Currently, the work at the Chevron site is combined with petroleum contaminant monitoring at the adjacent Valero and Shell sites. As the plumes are commingled, one engineering consulting firm (Resource Environmental, LLC) is supervising the monitoring work at all three sites.

The commingled plume lies approximately 2,000 feet west of the San Francisco Bay. Groundwater flows east-southeast towards the Bay in an area of high hydraulic conductivity, where groundwater velocity can range as much as 300 feet per year. Four private irrigation wells have been located within 2,500 feet of the site, one as close as 720 feet to the east. Low levels of hydrocarbon impact have been detected in three of these four wells. In addition to groundwater contamination from the Chevron site, potential vapor impacts to the nearby residential units have been identified at the adjacent sites.

At the present time, 20 years after the first reported release, the lateral and vertical characterization of the commingled plume is still being assessed. The MTBE plume extends at least 400 feet downgradient from the Chevron site. Remediation of the Chevron site awaits a decision as to the most cost-effective cleanup method given the conditions. Meanwhile, groundwater concentrations of TPHg are as high as 43,000 ug/l as of the last available monitoring records of July of 2007. Benzene is as high as 7,300 ug/l, and toluene as high as 7,600 ug/l.

River Watch remains concerned that this is another site for which remediation efforts have long been deferred while regular contaminant monitoring has taken over as the principal activity. This site

continues to represent an immediate threat to domestic water supplies and environmental degradation by infiltration into San Francisco Bay.

River Watch seeks Chevron's use of the best available technology to insure that no surface water, aquifer or groundwater is further contaminated by this plume. River Watch would like to insure that the full delineation of the plume is accomplished without further delay; and would like to review current sensitive receptor and preferential pathway survey results.

**4. Current Chevron Service Station #9-3476  
12 Weed Boulevard South, Weed, California**

This site is located at the intersection of Weed Boulevard South (Highway 97) and Main Street in an area of mixed residential and commercial properties. The site is a currently active Chevron-branded service station adjacent to several other service station facilities including an active Shell branded service station, and former ARCO and Union 76 stations. The real property on which the service station is situated is currently owned by the Mountain Supply Company of Redding, CA.

The first unauthorized release of petroleum hydrocarbons was detected in 1985 when the USTs were upgraded. In the following year monitoring wells were installed. In 1987 groundwater extraction was commenced in an attempt to remediate the soil and impacted groundwater. By August of 1996, with the extraction of over 3,200,000 gallons of groundwater, approximately 350 pounds of dissolved-phase hydrocarbons were removed along with 140 gallons of separate phase hydrocarbons (SPH or NAPL). A soil vapor extraction system was initiated in 1991 and ran intermittently until 2000 when it was deactivated due to poor hydrocarbon removal rates. The reports indicate the soil vapor extraction system removed only approximately 110 pounds of hydrocarbons as gasoline.

Engineering consultant Cambria initiated a two-phase extraction pilot test in 2004 to determine if such extraction processes would be feasible. The test established that two-phase extraction would be ineffective for the soil conditions.

Groundwater lies at between 6 and 20 feet bgs. It flows generally northward towards Boles Creek which is considered an 'at risk' sensitive receptor at approximately 300 to 400 feet downgradient to the north. NAPL has been detected in 2 of the monitoring wells since 2000. During the current quarter, approximately 0.50 gallons of LNAPL and water were removed from these wells by hand bailing.

At the present time very high levels of contamination are present in the wells. TPHd concentration levels are as high as 37,000 ug/l. TPHg levels were recorded at 38,000 ug/l in May of 2007. Toluene is currently as high as 760 ug/l, while benzene is virtually non-detect. There is no active remediation taking place to deal with the high levels of subsurface contamination. Engineering reports indicate that contaminant concentrations tend to diminish rapidly below 15 ft bgs, but there has been no recommendation to employ over-excavation to remove the contamination despite the infeasibility and ineffectiveness of the other remediation systems which been tried. It appears Chevron would prefer to continue its economic operations at this location while only monitoring and analysis occurs, regardless of the eventual environmental impact of plume migration.

The reports on file do not provide sensitive receptor survey information, nor do they recount whether conduit studies or preferential pathway studies have been conducted. In addition, there seems to be no information as to whether any aquifer impact assessment has been done. No data has been provided to assess the residual contaminant mass in the plume in order to have a benchmark against which the progress of further remediation might be gauged.

This, then, is another site for which River Watch believes that Chevron has failed to employ the best available technology towards the goals of full remediation.

**5. Chevron Service Station #9-3751  
5502 Thornton Avenue, Newark, California**

This is an active service station site located on the southwest corner of Thornton Avenue and Cedar Boulevard. It lies in a commercial corridor, adjacent to a shopping center with small businesses nearby and residential properties south of the shopping center. The real property on which the service station is situated is currently owned by Jose and Marlu Vasquez.

A Chevron station was erected at the site in 1964. The original USTs were removed in 1978 during upgrading operations. Chevron sold the station in 1997 and it has been subsequently redeveloped as an independent service station.

The Alameda County Water District operates 2 municipal supply wells in the Newark Aquifer. The Darvon 1 well lies approximately 1,600 feet to the northeast of the site. The Cedar 2 well is located approximately 2,200 feet to the southeast. Groundwater is extracted from both municipal wells at rates of 3,300 gpm and 2,500 gpm respectively. The Aquifer has a relatively high hydraulic conductivity of 920 ft/day under pumping conditions due to the high permeability of the local soils. As a result, groundwater flow directions are influenced by the County's pumps. This influence affects the groundwater in and around the site. The Cedar 2 pump for example, will exert a draw-down of 3.2 feet in the groundwater of the site after being in operation for 8 days following a shut down period. The radius of influence of both of the municipal pumps is almost 6,000 linear feet.

The first leak at this site was reported in 1993. A site assessment was commenced in December of 1997. TPHg, BTEX, MTBE, TAME and TBA have been detected in groundwater. TPHg levels as recently as January of 2008 have been as high as 40,000 ug/l. Toluene is as high as 1,500 ug/l. MTBE is as high as 930 ug/l. Benzene is at 300 ug/l.

While Alameda County is rightfully concerned about the impact of the site's plume upon the municipal water which is delivered to its residents by its water supply system; and, while there must be adequate oversight concerning the progress of remediation, River Watch remains concerned that some of the more obvious remedies to the situation have yet to be recommended.

Perhaps because the site no longer belongs to Chevron, there is an interest in allowing the current owners to continue the business of gasoline sales. This seems to be another example, however, of deference to business interests as opposed to environmental concerns. Chevron's consultant takes the position that "(q)uarterly groundwater monitoring is proposed as an interim corrective action for the Newark Aquifer."

The reports provided by the consultant do not recommend any remediation process which would eliminate the threat to the Alameda County water supply. Such reports do not seem to investigate likely conduits or preferential pathways beneath the site, nor do they advance the recommendation that further excavation work to remove affected soils would likely remove threats to the environment. If current sensitive receptor surveys exist and conduit studies are available, River Watch would like to be provided with copies as part of its involvement in this matter. Beyond the delineation of this site, it seems pertinent to determine the mass of residual contamination so that some remediation timeline might be provided as a means of assessing the progress of clean up.

**6. Former Unocal Bulk Plant  
359 Main Street, Fortuna, California**

This former Unocal bulk plant is located on a one-acre vacant lot in an industrial section of Fortuna. The site is bordered on the north by Main Street, to the south by railroad tracks, to the east by vacant land, and to the west by a former Chevron bulk plant. This site was utilized as a bulk storage facility from approximately 1924 to 1964. The first petroleum impact was detected in approximately 1974. The real property on which the plant is situated is currently owned by Larry and Frances Montgomery.

Gasoline and diesel constituents have impacted soil and groundwater at the site as a result of releases in 1974 and 1978, the latter of which apparently led to several explosions in February of 1978 – one in a bowling alley related to gasoline vapors emanating from the Unocal site along sewer lines beneath Main Street. Various other releases are presumed to have occurred over the years due to bulk fuel operations. Regulatory agencies first received reports of soil and groundwater impacts in approximately 1988. Following contact by the North Coast Regional Water Quality Control Board in 1990, over-excavation to the extent of 2,700 tons of impacted soil was finally accomplished between 1997 and 2000.

Monitoring wells were installed beginning in 1991. Concentrations of contaminants have been measured since that time. NAPL was found at one of the wells (MW-4) as recently as 2002. In 1993 soil vapor extraction pilot testing determined that due to soil composition, vapor extraction might not be feasible. Further excavation work was done in 1997 after visual and olfactory indications of petroleum prompted specific areas of soil removal. Over the course of the next several years, 1,600 tons of impacted soil was placed on plastic. Finally in 2002 the soil was removed after the engineering consultant was advised by the Regional Water Quality Control Board that this soil could not be used as backfill, but had to be shipped to a landfill facility, and that clean backfill had to be imported to the site.

The site lies in the Eel River Valley. The Eel River is approximately 600 feet to the southwest, while Rohner Creek lies approximately 500 feet to the northeast. The shallow aquifer zone flows generally towards the south/southwest (towards the Eel River), while the deep aquifer zone at the site flows towards the east (towards Rohner Creek).

Fortuna is supplied by municipal water from 3 wells located on Eel River Drive, several miles from the site. The shallow groundwater at the site has a designated beneficial use as a drinking water supply in the North Coast Water Quality Control Board's Basin Plan. No sensitive receptor survey



has apparently been conducted to determine whether there are private domestic wells at risk from the site's plume. A multi-phase extraction pilot test was initiated in 2005. The soil composition does not, however, seem conducive for the removal of residual contaminants.

This site remains problematic due to the recalcitrance of the soils to contemporary methods of subsurface remediation processes. The contaminated areas of this former plant are laterally extensive, but seem to be limited to vertical depths above 20 feet bgs. In view of the persistently high concentrations of petroleum constituents (based on August, 2007 monitoring – 72,000 ug/l for TPHg; 7,300 ug/l for TPHd; 11,000 ug/l for toluene, and 6,800 for benzene) it would seem that further excavation work is essential to remove the environmental risks this site represents. Chevron's consultant seems content to do little more than investigate and monitor while this plume continues to migrate downgradient towards surface waters.

As with the other sites listed above, River Watch believes Chevron must take its remediation work much more seriously at this site and conduct preferential pathway studies and conduit studies to determine whether the Main Street sewer continues to provide offsite access for contaminants including harmful vapors, and an aquifer impact assessment. While records may no longer exist to determine the residual contamination based upon lost inventories, certainly with existing soil density data, an integration calculation can be done to compute the mass of the plume. This would provide a basis for determining removal progress – if active remediation ever takes place.

### **III. Regulatory Standards**

Water Quality Objectives exist to ensure protection of the beneficial uses of water. Several beneficial uses of water exist. The most stringent water quality objectives for protection of all beneficial uses are selected as the protective water quality criteria. Alternative cleanup and abatement actions need to be considered that evaluate the feasibility of, at a minimum: (1) cleanup to background levels, (2) cleanup to levels attainable through application of best practicable technology, and (3) cleanup to protective water quality criteria levels. Existing and potential beneficial uses of area groundwater include domestic, agricultural, industrial and municipal water supply.

### **IV. Violations**

Between approximately the year 2003 and the date of this Notice, Chevron has caused or permitted, causes or permits, or threatens to cause or permit, petroleum contaminants, petroleum constituents and other hazardous wastes to be discharged or deposited where it is, or probably will be, discharged into waters of the State and now creates, or threatens to create, a condition of pollution or nuisance. This Notice covers the statutory period of limitations to date running from July 18, 2003 through July 18, 2008. The discharge and threatened discharge of such petroleum waste is deleterious to the beneficial uses of water, and is creating and threatens to create a condition of pollution and nuisance which will continue unless the discharge and threatened discharge is permanently abated.

The provisions of the CWA govern the discharges of hazardous substances, including petroleum hydrocarbons, into surface waters of the United States.

Chevron's use and storage of petroleum at the 6 sites identified above has allowed significant quantities of hazardous petroleum constituents to be released or discharged into soil and groundwater in violation of the provisions of the CWA and California's UST regulatory programs including, but not limited to provisions governing general operating requirements for USTs, release detection and prevention requirements, release reporting and investigation requirements, and release response and corrective action requirements. Such discharges have been allowed to impact waters of the United States in violation of the CWA.

The violations of the CWA as alleged in this Notice are knowing and intentional in that Chevron has used, stored and sold petroleum products at the 6 sites identified above which are known to contain hazardous substances, and it has intended that such products will be sold to and used by the public. Chevron has known of the contamination since at least 2003, and has also known that failing to promptly remediate the pollution allows the contamination to migrate through soil and groundwater at and adjacent to the sites, and to continually contaminate and re-contaminate actual and potential sources of drinking water as well as surface waters.

The type of violations of the CWA alleged herein are a major cause of the continuing decline in water quality and pose a continuing threat to existing and future drinking water supplies of Northern California. With every discharge, groundwater supplies are contaminated. These discharges can and must be controlled in order for the groundwater supply to be returned to a safe source of drinking water.

In addition to the violations set forth above, this Notice is intended to cover all of Chevron's violations of the CWA at the 6 sites identified above evidenced by information which becomes available to River Watch after the date of this Notice.

#### **V. Identification of Northern California River Watch**

The entity bringing this Notice is Northern California River Watch, a non-profit corporation dedicated to the protection and enhancement of the waters of the State of California including all rivers, creeks, streams and groundwater in Northern California. River Watch is organized under the laws of the State of California. Its address is 6741 Sebastopol Avenue, Suite 140, Sebastopol, CA, 95472 - telephone (707) 824-4372.

Chevron's violations of the CWA as set forth in this Notice affect the health and enjoyment of members of River Watch who reside and recreate in the affected watershed areas. Those members use the watershed for domestic water supply, agricultural water supply, recreation, sports, fishing, swimming, shellfish harvesting, hiking, photography, nature walks and the like. Their health, use and enjoyment of these natural resources are conditions specifically impaired by the violations of Chevron alleged in this Notice.

#### **VI. Contact Information**

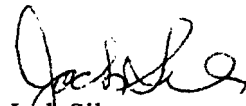
River Watch has retained legal counsel with regard to the issues raised in this Notice. All communications should be addressed as follows:

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## **VII. Conclusion**

River Watch believes this Notice sufficiently states the grounds for filing suit under the statutory and regulatory provisions of the CWA as to the sites referenced above. At the close of the notice period or shortly thereafter, River Watch intends to file a suit against Chevron and the individual real property owners and/or site operators under the provisions of the CWA for each of the violations as alleged herein. River Watch is willing to discuss effective remedies for the violations referenced in this Notice, and encourages Chevron, if it so wishes, to initiate those discussions immediately so that we might be on track to resolving the issues before the end of the notice period. River Watch will not delay the filing of a lawsuit if discussions have not commenced by the time the notice period ends.

Very truly yours,



Jack Silver

JS:lha

cc:

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Jose and Marlu Vasquez [Site #5]  
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